



District I:

SICK LEAVE

HON. AVELINO B. SOLIS
City Councilor

HON. EDWIN G. GAWARAN
City Councilor

ON-LEAVE

HON. MIGUEL N. BAUTISTA
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. REYNALDO M. FABIAN
City Councilor

HON. VENUS D. DE CASTRO
City Councilor

District II:

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City Councilor

HON. HERNANDO C. GUTIERREZ
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HON. GAUDENCIO P. NOLASCO
City Councilor

HON. BAYANI M. DE LEON
City Councilor

HON. LEANDRO A. DE LEON
City Councilor

HON. ROBERT R. JAVIER
City Councilor

SICK LEAVE

HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Republic of the Philippines
CITY OF BACOR
Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. CO 3-2016
Series of 2016

A CITY ORDINANCE AMENDING CITY ORDINANCE NO. 2013-034 OTHERWISE KNOWN AS THE "REAL ESTATE DEVELOPMENT ORDINANCE OF THE CITY OF BACOR".

Sponsored by: Hon. Rowena Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro de Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Hernando C. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, and Hon. Reynaldo D. Palabrica.

WHEREAS, on 16 September 2013, the Sangguniang Panlungsod enacted City Ordinance No. 2013-034 otherwise known as the "*Real Estate Development Ordinance of the City of Bacoor*".

WHEREAS, a review of the said ordinance conducted by the Sangguniang Panlungsod revealed that it does not regulate certain activities related to real estate development now being done in various areas of the City,

WHEREAS, there is a need to regulate the said activities for the sake of the environment and the general welfare,

NOW, THEREFORE, during regular session assembled, upon motion of Councilor Edwin G. Gawaran duly seconded by Councilor Reynaldo D. Palabrica **BE IT ORDAINED AS IT IS HEREBY ORDAINED** by the Sangguniang Panlungsod to amend various sections of City Ordinance No. 2013-034 to read as follows, to wit:

Section 1. The following provisions of City Ordinance No. 2013-034, Series of 2013 are hereby amended and shall read as follows:

"Section 1. Short Title. This Ordinance shall be known as the "Expanded Real Estate Development Ordinance of the City of Bacoor".

Section 2. Scope. This Ordinance shall cover all juridical or natural persons engaged in the development of any residential, commercial, or industrial development project or any other developmental project within the City of Bacoor, Cavite including reclamation projects to be conducted on the municipal waters and various waterways of the City.

Section 3. Prohibited Acts. The following acts shall be considered punishable under this Ordinance:



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1. Failure or refusal to pay all the required City Fees including real estate taxes corresponding to the areas covered by all existing development projects located within the City of Bacoor, Cavite including Reclamation Fees equivalent to One Thousand Pesos (Php 1,000) per square meter of the area subject of the proposed reclamation project;

2. Willful violation of any of the conditions contained in the development permit issued to the developer or any misrepresentation in any of the documents submitted by the developer or its authorized representative in relation to its application for a subdivision plan or development permit;

3. Failure or refusal of the developer, project proponent, or contractor to devote at least thirty percent (30%) of the total lot area of its development project for roads and other open recreational spaces in accordance with either Presidential Decree No. 957 or Batas Pambansa Blg. 220 in the case of residential subdivisions;

4. Failure or refusal of the developer, project proponent, or contractor to build or maintain access roads or recreational facilities such as playgrounds, covered basketball courts, and the like within any development project located within the City of Bacoor prior to the turn over of the said roads or facilities to the homeowners association or the City government of Bacoor in new residential subdivisions;

5. Failure or refusal of the developer, project proponent, or contractor to require its employees working on any development project within the City of Bacoor, which shall include security guards and maintenance crews working or assigned to the site of the development project concerned, to apply and secure a working permit from the Office of the City Mayor of Bacoor;

6. Failure or refusal of the developer, project proponent, or contractor or any of its authorized representatives or employees to allow city employees and officials to enter the site of any development project within the City of Bacoor for purposes of monitoring compliance by the developer with any law, ordinance, or government regulation;

7. Failure or refusal of the developer to devote a parcel of land within its development project for a materials recovery facility (MRF) in accordance with the Republic Act No. 9003 also known as the "Ecological Solid Waste Management Act of 2000" within three (3) years after the issuance of a development permit;

8. Failure or refusal of the developer, project proponent, or contractor to provide the city government through the Business Permits and Licensing Office (BPLO), with a list of the



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names and addresses of the various contractors/suppliers who will work on the above-mentioned development project for purposes of assessing the proper Business Permit Fees and Work Permits that the city government should charge against the said contractors/suppliers within sixty (60) days from the date of approval of its development permit;

9. In the case of residential subdivision projects, failure or refusal of the developer to plant at least one hundred (100) trees within the territorial jurisdiction of the City of Bacoor, Cavite for every one (1) hectare of the area consisting the development project concerned within sixty (60) days after the approval of a development permit;

10. Failure or refusal of the developer to pay all city fees and taxes within thirty (30) days after written demand;

11. Failure or refusal of the developer to build access roads within its development project which is interconnected or may be interconnected with existing public road systems or still to be constructed within the City of Bacoor, if applicable ;

12. In the case of reclamation projects, failure of the developer, project proponent, or contractor to submit a hydrological report to the City Environment and Natural Resources Office (CENRO) and the City Engineering Office at least sixty (60) days prior to the start of any development work made by an acknowledged expert in the said field that shows that the said reclamation project would not worsen flooding within the City; and

13. Failure or refusal of the developer to comply with any city ordinance, resolution or executive order that has a relation to the operation of a residential subdivision, or of an industrial or commercial establishment;

Section 4. Penalties.

a. Any officer or employee of any developer covered by this Ordinance who violates any provision hereof shall be imprisoned for not more than six (6) months or be required to pay a fine of not more than Two Thousand Five Hundred Pesos (PhP 2,500.00) or both.

b. Any developer, project proponent, or contractor who violates this Ordinance shall be required to pay a fine of not more than Three Thousand Five Hundred Pesos (PhP 3,500.00) for every violation of any provision hereof. Provided, that should the nature of the violation consist of non-payment or refusal to pay taxes or city fees or the selling of lots without the necessary development permit—the fine to be imposed upon the



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developer shall be multiplied by the number of houses already built or sold or by the number of square meters involved in the reclamation or development project. Provided, further that should the nature of the violation consist of the development of a project without the necessary permit, a fine of Three Thousand Five Hundred Pesos (PhP 3,500.00) for every one hundred (100) square meters of land comprising the development project shall be imposed upon the developer.

c. Aside from the foregoing penalties, the City Mayor is hereby empowered to revoke any development permit already granted, disapprove any application for development permit by any developer found to have violated any provision hereof or revoke any permit issued by the city of government

d. Any City Government employee who issues any permit in favor of any person despite the latter's violation of this Ordinance or non-compliance herewith, shall be subjected to the appropriate administrative penalty.

Section 5. Exemptions. Applicants for a development permit for purposes of qualifying under the Community Mortgage Program of the government are exempted from the provisions of this Ordinance. The Sangguniang Panlungsod reserves the right to grant additional exemptions as the public welfare so requires it."

Section 2. Separability Clause---Any provision of this Ordinance found void by a court of competent jurisdiction shall not affect the rest of this Ordinance not affected by the said judicial finding of invalidity.

Section 3. Effectivity---This Ordinance shall take effect immediately after it has been posted in at least three (3) conspicuous places within the City of Bacoor, Cavite and

Section 4. Repealing Clause---Any ordinance in conflict with this Ordinance is hereby repealed and/or modified.

ORDAINED by Sangguniang Panlungsod of Bacoor, Province, Cavite this 1st day of February 2016.

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HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer



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Secretary to the Sangguniang Panlungsod

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